

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

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ERNEST KEITH WILKERSON,

Plaintiff,

v.

STEVE HALLETT, ESQ.,

Defendant.

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Civil No. 96-4920 (JBS/AMD)

**TEMPORARY ORDER TO SEAL**

THIS MATTER having come before the Court by way of submission [Doc. No. 148] of Plaintiff Pro se, Ernest Keith Wilkerson, filed on October 7, 2009, to which Plaintiff has attached documents containing the social-security number and birth date of a nonparty, Rashida J. Brown; and

THE COURT NOTING that under L. Civ. R. 5.3(c)(1), the Court may seal or restrict public access to any materials or judicial proceedings upon request of a party by formal motion made pursuant to L. Civ. R. 7.1. Under Local Civil Rule 5.3(c)(2), any motion to seal or otherwise restrict public access shall describe (a) the nature of the materials or proceedings at issue; (b) the legitimate private or public interests which warrant the relief sought; (c) the clearly defined and serious injury that would result if the relief sought is not granted; and (d) why a less restrictive alternative to the relief sought is not available. L. Civ. R. 5.3(c)(2); and

IT APPEARING TO THE COURT that the documents at issue contain in unredacted form the date of birth and social-security number of Ms. Brown, a nonparty. The Court finds that Ms. Brown has a legitimate interest in maintaining privacy with respect to such personal information. See FED. R. CIV. P. 5.2(a) ("[I]n an electronic or paper filing with the court that contains an individual's social-security number . . . or birth date . . ., a party or nonparty making the filing may include only: (1) the last four digits of the social-security number and taxpayer-identification number; [and] (2) the year of the individual's birth[.]"); see also Electronic Case Filing Policies and Procedures, Item 17 ("Sensitive Information") (as amended September 1, 2008), reprinted following L. CIV. R. 5.2 ("[C]aution must be exercised when filing documents that contain . . . [p]ersonal identifying numbers[.]"). Moreover, the Court finds no less restrictive alternative at this time to filing the documents under seal.

CONSEQUENTLY, for the reasons set forth above and for good cause shown:

IT IS on this 20th day of November 2009,

**ORDERED** that Plaintiff's October 7, 2009 submission [Doc. No. 148] shall be filed under seal on a temporary basis until further order of the Court; and it is further

**ORDERED** that Plaintiff shall file a motion to seal the October 7, 2009 submission pursuant to Local Civil Rule 5.3 by no later

than **December 20, 2009.**

s/ Ann Marie Donio  
ANN MARIE DONIO  
UNITED STATES MAGISTRATE JUDGE

cc: Hon. Jerome B. Simandle